

ATTACHMENT A

HEARING EXAMINER SERVICES SCOPE OF WORK

Hearing Examiner Responsibilities

The Hearing Examiner shall provide services and fulfill duties set forth in the following. A listing of these codes can be found at <http://www.codepublishing.com/WA/redmond.html>.

Redmond Community Development Guide

Section 20F.50.35 - Office of the Hearing Examiner

Appendix 20F2 - Rules of Procedure for Hearing Examiner

Redmond Municipal Code

Chapter 1.14 Ordinance 1458 – Code Compliance

Chapter 3.08 Ordinance 1588 – LID Hearings

Chapter 5.10 Ordinance 1562 – Business License Appeals

Chapter 5.44 Ordinance 1831 – Occupation Tax Appeals

Chapter 9.20 Ordinance 2024 – False Alarm Appeals

Chapter 5.52 Ordinance 1562 – Bathhouse Attendant License Appeals

Chapter 13.07 Ordinance 2180 – Wellhead Protection

Chapter 20.62 (King County Code) Ordinance 2164 – Landmark Commission

Additional services and duties described by new City Ordinances, regulations or procedures may be added by written agreement of the parties.

The Hearing Examiner will work independently and without direct supervision. He/she will remain fully knowledgeable regarding the City of Redmond zoning and building codes and all other City codes, ordinances, resolutions, regulations or policies affecting the areas of concern related to the Hearing Examiner's duties. The City will provide all municipal codes, ordinances, resolutions, regulations, policies and guidelines, and revisions thereof, necessary for the Hearing Examiner to maintain the required level of knowledge and understanding. The City may adopt future code changes that would alter the composition of the Office of the Hearing Examiner and the Hearing Examiner responsibilities under this agreement shall conform to any such changes.

Schedule of Hearings

Land use public hearings are regularly scheduled on Monday evenings and appeal hearings on Wednesday's during the day of every month. The Hearing Examiner may be requested to conduct hearings at any of these times, or at other times as arranged by the parties without amendment of this contract.

Procedures for scheduling and preparing for hearings are established by written agreement between the City and the Hearing Examiner. If there is need for modification of these procedures for the Hearing Examiner to fulfill Hearing Examiner's responsibilities on a temporary basis, revisions may be made by an agreement with the City Clerk's Office, Hearing Examiner support staff, and the Hearing Examiner.

Performance Standard

All duties shall be performed to the City's satisfaction, including, but not limited to conducting orderly and impartial hearings, creating a professional and courteous environment for applicants, citizens and staff; and preparing findings of fact and conclusions of law which are clear and based on sound reasoning and all applicable law. When deemed appropriate by the Hearing Examiner, he/she will make site visits to familiarize him/herself with the site of the proposed land use and the surrounding areas.

Administrative Support

The City of Redmond provides administrative and clerical support services to the Hearing Examiner. These include:

- Coordinate and assign hearing schedules with Hearing Examiner & City Departments
- Advertise hearings according to legal requirements
- Attend all hearings to setup meeting room, record and create a record of the hearings
- Screen correspondence and telephone calls to the Hearing Examiner in an effort to assure that prohibited *ex parte* contacts are not made
- Maintain the official City file for each case
- Perform administrative duties for the Hearing Examiner as required
- Coordinate distribution of Hearing Examiner's recommendations and decisions to City Council, City Departments and all parties of record
- Processing and approval of Hearing Examiner's invoices

Access to City Legal Staff and Documents

The Hearing Examiner shall be entitled to consult with the City's legal staff and to have access to such City legal documents and supporting materials as may be necessary to fulfill the functions of the Hearing Examiner's Office, provided that such consultation and access can be permitted within the bounds of professional ethics and standards applicable to the Hearing Examiner and the City legal staff, and without jeopardizing the integrity of any pending proceedings before the Hearing Examiner. In event of conflict perceived by either City legal staff, or the Hearing Examiner, the City shall provide access to alternate legal counsel as may be required by the Hearing Examiner to perform his/her duties under this contract.

Advice to City

The Hearing Examiner will meet with City staff and members of the Redmond Planning Commission as needed and scheduled by the City, to advise the City regarding clarity and adequacy of City codes, regulations and procedures, and other legal issues bearing on land use, code compliance, business license, local improvement district, false alarm and other matters relating to the Hearing Examiner's duties and responsibilities. If additional meetings are required from time to time, the Hearing Examiner and the City will mutually agree on time, place and participants to be included in such discussions. The Hearing Examiners will coordinate their assessment and their advice to the City through communications as required identifying issues and conferring on possible actions the City might take to improve its codes, regulations and/or processes. Hearing Examiner time spent in such advisory duties, including time devoted to collaboration with other Hearing Examiners, will be compensated at the same contracted rate.